

**REMARKS****CLAIM REJECTIONS UNDER 35 U.S.C. §102(b)**

Claims 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Lambert et al. U.S. Patent No. 2,789,234 for the reasons set forth on pages 2 and 3 of the Action.

For the reasons set forth hereafter, it is submitted that claim 1, as amended, as well as new claim 7 are patentable.

**ALLOWABLE SUBJECT MATTER**

Claims 2 and 4-6 were allowed and claim 3 was objected to as being dependent upon a rejected base claim. By this amendment, claim 3 has been rewritten in independent form and is now believed allowable.

**PATENTABILITY OF THE CLAIMS**

A turbine power plant according to the present invention is such a large scale power plant that it cannot be packaged as a single unit or module. It is such a large scale power plant that it cannot be transported as an assembled whole power plant. The plurality of modules and the common base are brought to a site where the power plant is to be used. The common base is used both as a part of a transportation vehicle and as a support frame for the power plant, which is used at a position separated from the transportation vehicle. Claim 1 has been amended to further define Applicants' invention by

reciting that the power plant is "used at a position separated from said transportation vehicle."

By contrast, in the auxiliary power unit 10 disclosed by Lambert et al., a power device 39, electric generator 38, control box 40, etc. are assembled as one package. The auxiliary power unit 10 is not a power plant that is transported by dividing it into a plurality of modules and used by installing it at a site that is separate from the transportation vehicle. The auxiliary power unit 10 disclosed in Lambert et al. is arranged on a trailer unit 13 to supply electric power to an electric motor driving a refrigerating unit 15 mounted on the trailer unit 13. The auxiliary power unit 10 is mounted on a tractor-trailer vehicle 11 as an assembled unit, but not as divided modules because it is necessary to supply the electric power to the refrigerating unit 15 during running of the vehicle 11, and the auxiliary power unit 10 is relatively small in size to that it can be mounted on the vehicle 11 without dividing it into plural modules. Thus, the auxiliary power unit 11 is unnecessary to be divided in order to be mounted on the vehicle 11.

The Examiner is of the opinion that the base 45 disclosed in Lambert et al. corresponds to a common base of the present invention. However, the base 45 of Lambert et al. is different from the common base of the present invention. The base 45 disclosed in Lambert et al. is used only for

installing thereon the auxiliary power unit 10, and is not used for a support frame of the power unit when the power plant is assembled and used at a site. The auxiliary power unit 10 disclosed in Lambert et al. is not made on the premise that is assembled and used at a site. It remains attached to the trailer unit at all times. Accordingly, claim 1 as amended, patentably distinguishes over Lambert et al.

In view of the foregoing amendments and remarks, Applicants contend that this application is in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



Gene W. Stockman  
Registration No. 21,021  
Attorney for Applicant

MATTINGLY, STANGER & MALUR  
1800 Diagonal Road, Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date: February 3, 2004